ACR Contests

The **ACR Contests** release completes the effort to streamline and replace the ACRI (*Alternative Case Resolution Initiative*) system, an older application written in *Microsoft® Access®* that retrieved data from MSIS and the Data Warehouse. Now, the older ACRI system will be used only to view older information that could not be migrated into MSIS, while **ACR Contests** will be used to process Contested Cases.

ACR Contests, in conjunction with **ACR Conferences,** streamlines the Alternative Case Resolution process by providing district and headquarters personnel with a single source for data input, review, tracking, and reporting. It enables timelier tracking of Conferenced and Contested Issuances, reducing the duplication-of-effort by Districts and the Solicitors office.

Integrating ACR into MSIS eliminates separate data retrievals because all information is *live* and integrated into a single database. The **ACR Contests** release provides the ability to enter Notice of Contest (*Pre-Penalty)* and additional *Contested Assessments* information into MSIS.

This release provides [redacted] CLRs (*Conference Litigation Representatives*) and [redacted] Solicitors access to MSIS to manage their dockets and to help them in support of [redacted] litigation effort. Additionally, this release also provides the following functionality:

- Automatic e-mail notifications on Contested Cases activities;
- Printing the Petition and other legal documents that need filing;
- Tracking pre-penalty dockets as well as penalty dockets; and
- Providing additional reports to monitor cases, show trends, and statistical metrics.

User Roles / Offices

This release introduces some new roles, and adjusts other roles. A brief description of these roles follows.

- **ACR User**
  This is not a new role; however, it does have access to the **Manage Contests** screen.
- **ACR SOL**
  This is a new role granted to DOL Solicitors, to access enforcement activities and enter pre-penalty dockets. The appropriate ITC assigns this role. As of December 2009, Solicitors may also edit the pre-penalty screen, re-designate pre-penalty dockets from SOL to CLR, and assign pre-penalty dockets to a District office.
- **Special Investigation User (SI User)**
  This is a new role assigned to Coal and Metal/Nonmetal users. The appropriate ITC assigns this role.
- The **Manage Personnel** functionality has been adjusted so that the new Solicitor ITC can manage the Solicitors program area.
- A Solicitor Office structure with corresponding office codes is added to provide access in concert with the existing [redacted] user-management interface and related business rules. The Solicitor Offices (both branches and regions), can have dockets assigned to them.

Enforcement Changes

A quick summary of the new screens available to Enforcement personnel is listed below.

- **Manage Docket / View Docket**
  Users can only manage a docket if it belongs to a district or region to which the user belongs. Dockets are now assigned to an office when they are created.
- **View Docket Decision**
  If you request a Docket that you do not have permission to edit, MSIS will show it to you in **View Docket** only format.
- **Capture Notice of Contest** **Solicitors ONLY**
  This screen enables entering pre-penalty dockets.
- **Edit Pre-Penalty** **Solicitors ONLY**
  This screen enables editing the pre-penalty dockets.
- **Generate Letters and Documents**
  This screen enables printing the petition and related legal documents. It fills in the Petition Filed Date for you.
- **Add / Update Special Investigation** **SI User ONLY**
  This is a new indicator that shows whether an issuance is under special investigation. Only Coal and Metal/Nonmetal users with the SI User role can access the Special Investigations entry screen.
- **MSIS Status List**
  The **Status List** has been changed to show dockets needing assignment. The status list query now only displays dockets that were entered five (5) business days ago.

New BI Web Reports

This release includes several new BI Web Reports for the items listed below. Please see the *BI Web Reports* section of the user guide for more detailed information.

- Case Load
- Contested Assessments Type of Action Counts
- Contested Statistics by Individual 30 CFR
- Contest Statistics by Top 30 CFR
- Decisions by Assessment Type
- Docket Aging
- Docket Decisions
- Docket Status
- Issuances in Conference and Pre-Penalty; and
- Pre-Penalty without Penalty Docket (SOL only).

Notifications

The new functionality also includes additional automatic e-mail notifications. Specific events that trigger these e-mail notifications are listed below.

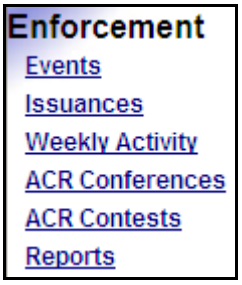
- An **Assessment** is **added or removed** from the **Docket —** MSIS notifies the assigned [redacted] Representative.
- If the **Docket designation changes,** if the **Assigned to District changes,** or if the **Solicitor Region Assignment Changes —** MSIS notifies the [redacted] Representative's Office for each change.
- A **Special Investigation** status changes **—** MSIS notifies the associated parties, including the **Conference CLR.**
- A new **Pre-Penalty Docket** is captured, which generates a notification to the issuing District, and the assigned Solicitor's office **—** MSIS sends these notifications via nightly batch jobs.
- A **Docket assigned to a CLR —** MSIS notifies the appropriate distribution list.
- A **Docket decision,** results in a change to the **Type of Issuance** and/or the **Type of Action** for a **104(d)** issuance that might be used as an initial action in a 104(d) sequence **—** MSIS notifies the appropriate distribution list.
- Saving a **Subsequent Action** on a **Contested Issuance** that has an **active Docket** associated with it **—** MSIS notifies the office of the [redacted] Representative for the docket.

These areas have notifications generated for them:

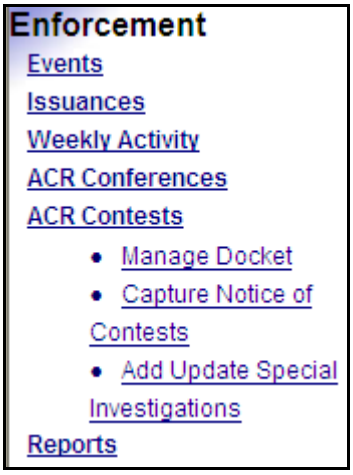
- Assign Docket Number (Assessments);
- Manage Docket (Enforcement);
- Add / Update Special Investigation (Enforcement);
- Capture Notice of Contest (Enforcement);
- Add / Update Decision and Appeal Information (Assessments);
- Edit Pre-Penalty (Enforcement); and
- Add Subsequent Action (Enforcement).

Access ACR Contests

To access the **ACR Contests** area, log on to MSIS the click the **ACR Contests** link in the navigation bar as shown below.



The menu expands as shown.



Note:
Only **Solicitors** have access to the **Capture Notice of Contests**.

In all instructions, a red asterisk (*) indicates a required field.

Manage / View Docket

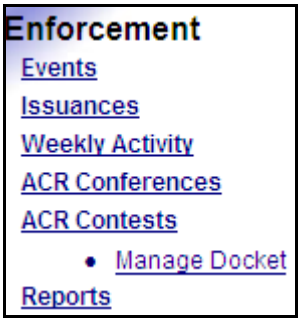
Note:
If you select a docket that is not associated with your office, you will be granted **View-Only** access.

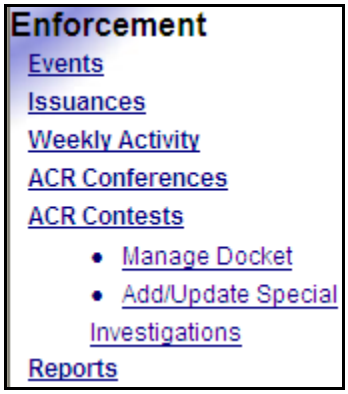
The **Manage Docket** function enables managing the docket for both pre penalty and penalty dockets. These available options include:

- Update Milestone Dates ([redacted] Answer Dates);
- View Court Decision and Decision Document;
- Change the CLR/SOL Docket Designation;
- Assign/Reassign the Docket Representative; and
- Initiating the generation of Docket Letters and Documents.

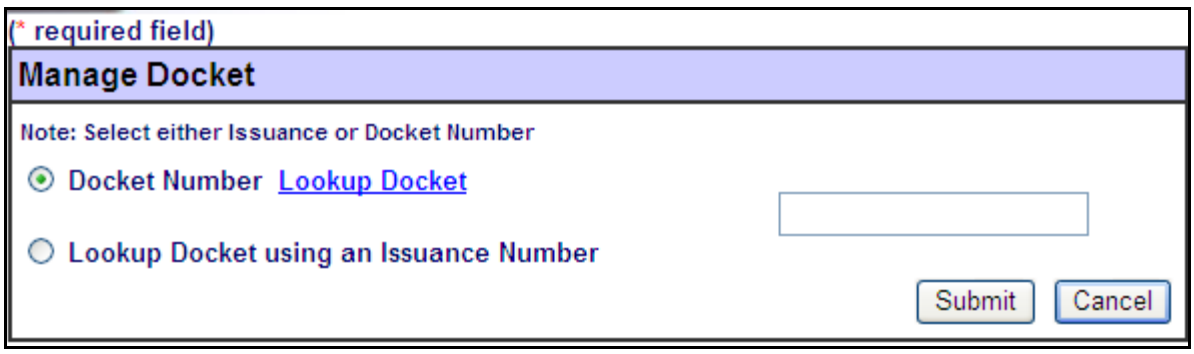
To access the **Manage Docket** function in MSIS, log on and navigate to the **Enforcement** section in the navigation list. Click **ACR Contests** to open the list. Remember, only Solicitors have access to the **Capture Notice of Contests.** Only Coal and Metal/Nonmetal users with the **SI User** role have access to the **Add / Update Special Investigations** section.

The list below opens.





1. Click **Manage Docket.**
2. The window below opens.



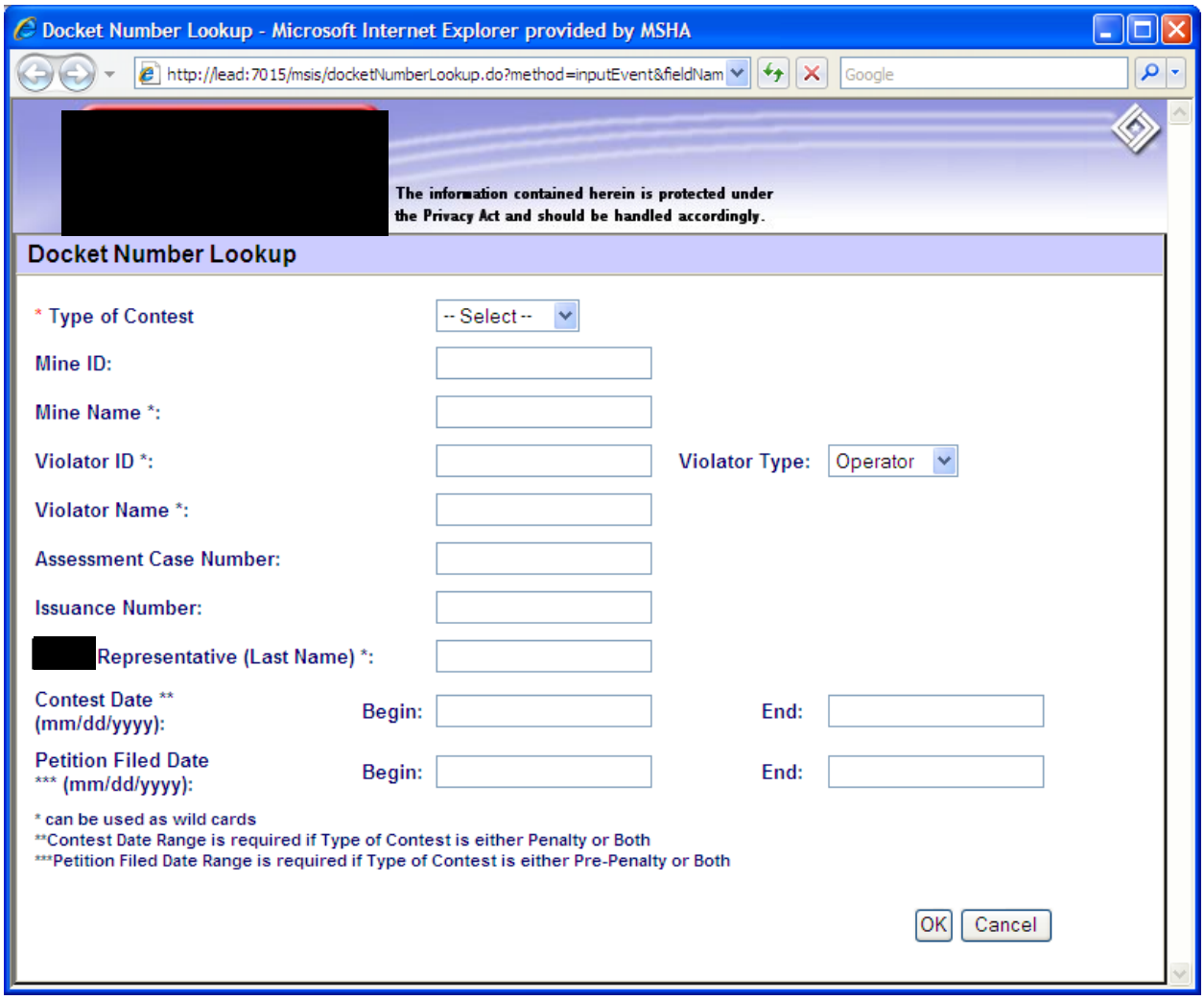
3. If you know the **Docket Number** or **Issuance Number,** you can enter it and click **Submit.**

   If you enter an **Issuance Number,** click the button by **Lookup Docket using an Issuance Number**

before clicking **Submit.**

If you need to look up the Docket number, continue with the steps below.

4. Click **Lookup Docket.** The window below opens.


Docket Number Lookup - Microsoft Internet Explorer provided by MSHA
http://lead:7015/msis/docketNumberLookup.do?method=inputEvent&fieldNam
Google
[redacted]
The information contained herein is protected under the Privacy Act and should be handled accordingly.
Docket Number Lookup
* Type of Contest
-- Select --
Mine ID:
Mine Name *:
Violator ID *:
Violator Type:
Operator
Violator Name *:
Assessment Case Number:
Issuance Number:
[redacted] Representative (Last Name) *:
Contest Date ** (mm/dd/yyyy):
Begin:
End:
Petition Filed Date *** (mm/dd/yyyy):
Begin:
End:
* can be used as wild cards
**Contest Date Range is required if Type of Contest is either Penalty or Both
***Petition Filed Date Range is required if Type of Contest is either Pre-Penalty or Both
OK
Cancel

Note:
Red asterisks (*) indicate required fields. You can also use the asterisk (*) as a wild card in your search parameters.

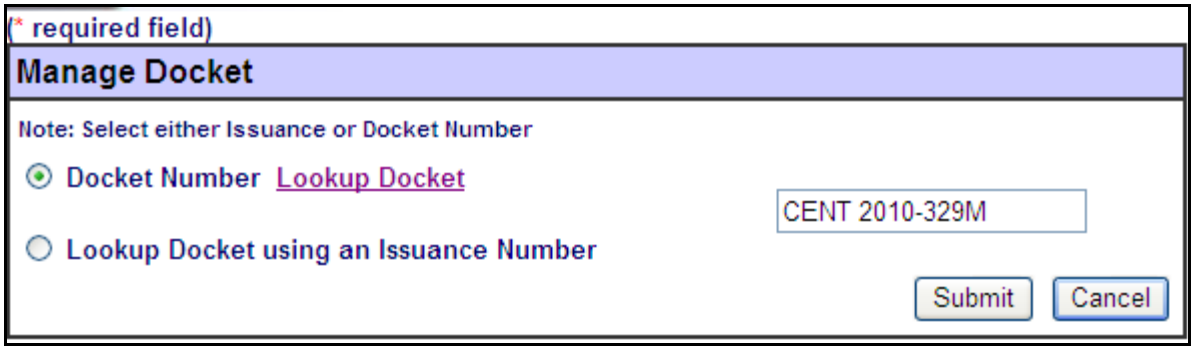
5. Select the ***Type of Content** from the drop-down list: **Penalty, Pre-Penalty,** or **Both.**
6. Enter the **Mine ID** if known.
7. Enter the **Mine Name, Violator ID,** and **Violator Name.**
   You can enter partial names when using a wild card (*).
8. Select the **Violator Type** from the drop-down list. Available choices include: **Operator, Contractor, Agent** and **Miner.**
9. Enter the **Assessment Case Number** and **Issuance Number** if known.

10. Enter the **MSHA Representative (Last Name).**
    You can enter partial names when using a wild card (*).
11. Enter the * **Contest Date** (format: MM/DD/YYYY) **Begin** and **End** dates.
    The Contest Date is required if the Type of Contest is **Penalty** or **Both.**
12. Enter the * **Petition Filed Date** (format: MM/DD/YYYY) **Begin** and **End** dates.
    The Petition Filed Date is required if the Type of Contest is **Pre-Penalty** or **Both.**
13. When ready, click **OK.**

    If the search returns more than 400 results, MSIS prompts you to narrow the search parameters, accept the first 400 results, or cancel.
14. A separate window similar to the one below opens.

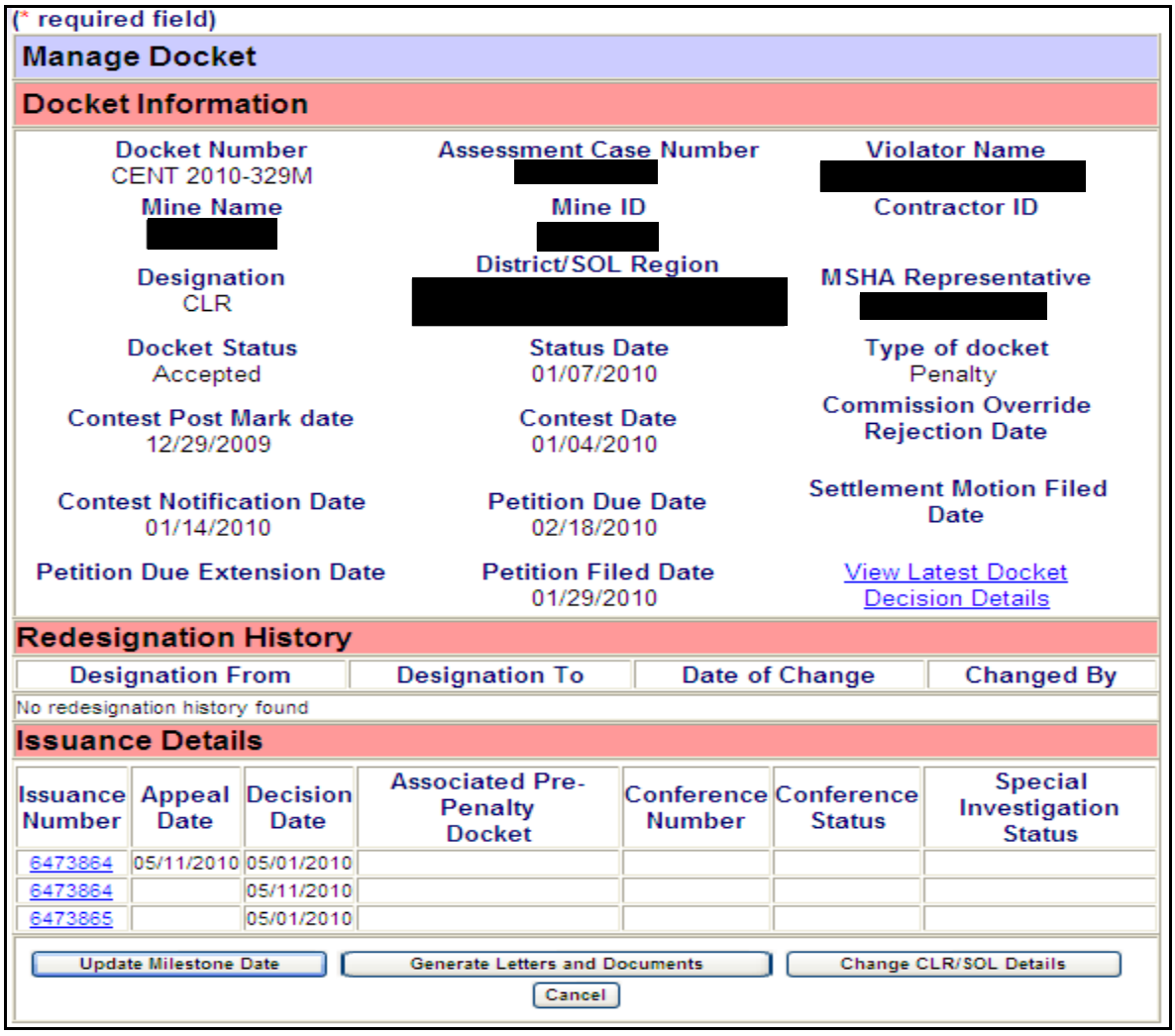
15. Remember to scroll down. Once you locate the desired Docket Number, click it.

16. MSIS places the number in the **Manage Docket** window for you and closes the lookup window.



17. Click **Submit.**

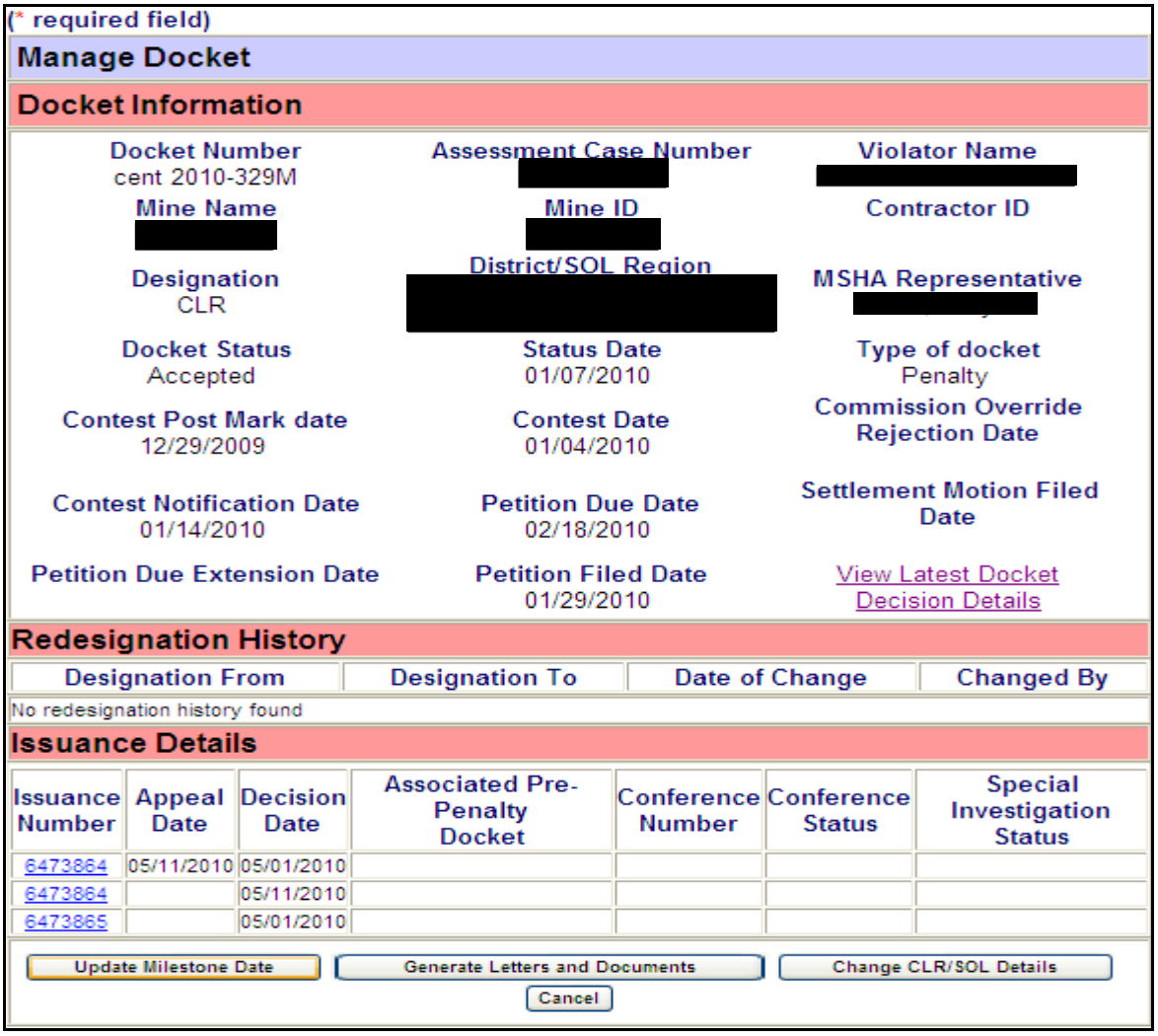
18. A window similar to the one below opens. The Docket Information section summarizes information related to the docket. Clicking the **View Latest Docket Decision Details** links opens a separate window containing the details.



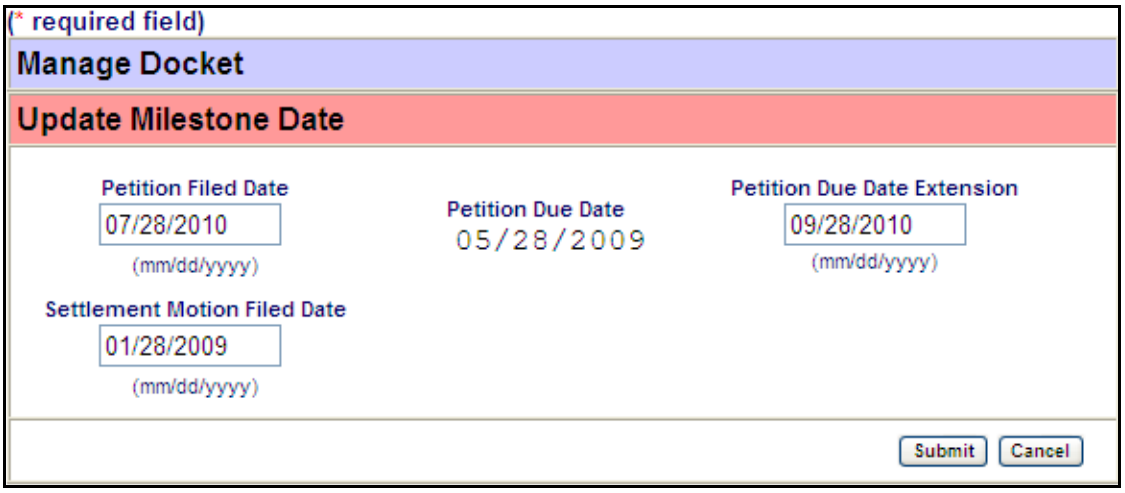
19. The window opened by each button at the bottom of the page is discussed in the separate sections that follow.

Update Milestone Date

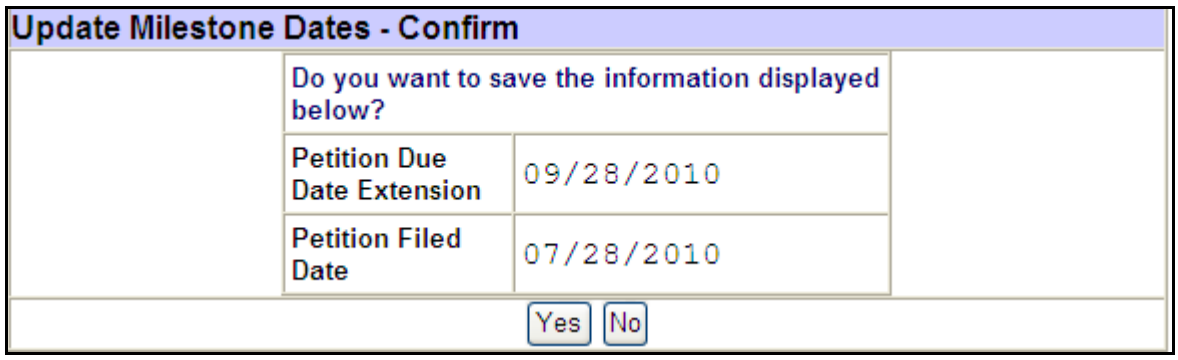
This section covers the **Update Milestone Date** screen.



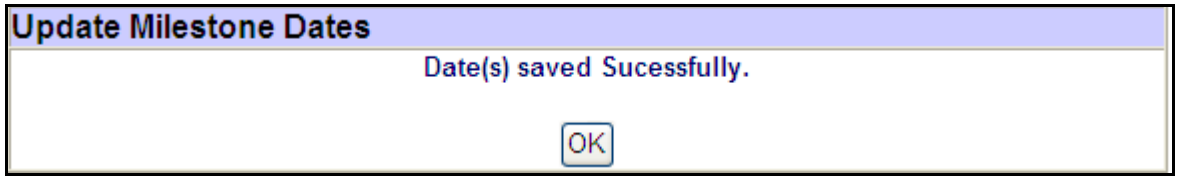
1. Click the **Update Milestone Date** button. A window similar to the one below opens.



2. Enter the **Petition Filed Date** (format: MM/DD/YYYY) and/or the **Petition Due Date Extension** (if applicable; format: MM/DD/YYYY).
3. Enter the **Settlement Motion Filed Date** (format: MM/DD/YYYY) if available.
4. Then click **Submit.**
   If you enter a date more than seven (7) days in the past or future, you will receive a warning message.
5. A window similar to the one below opens.



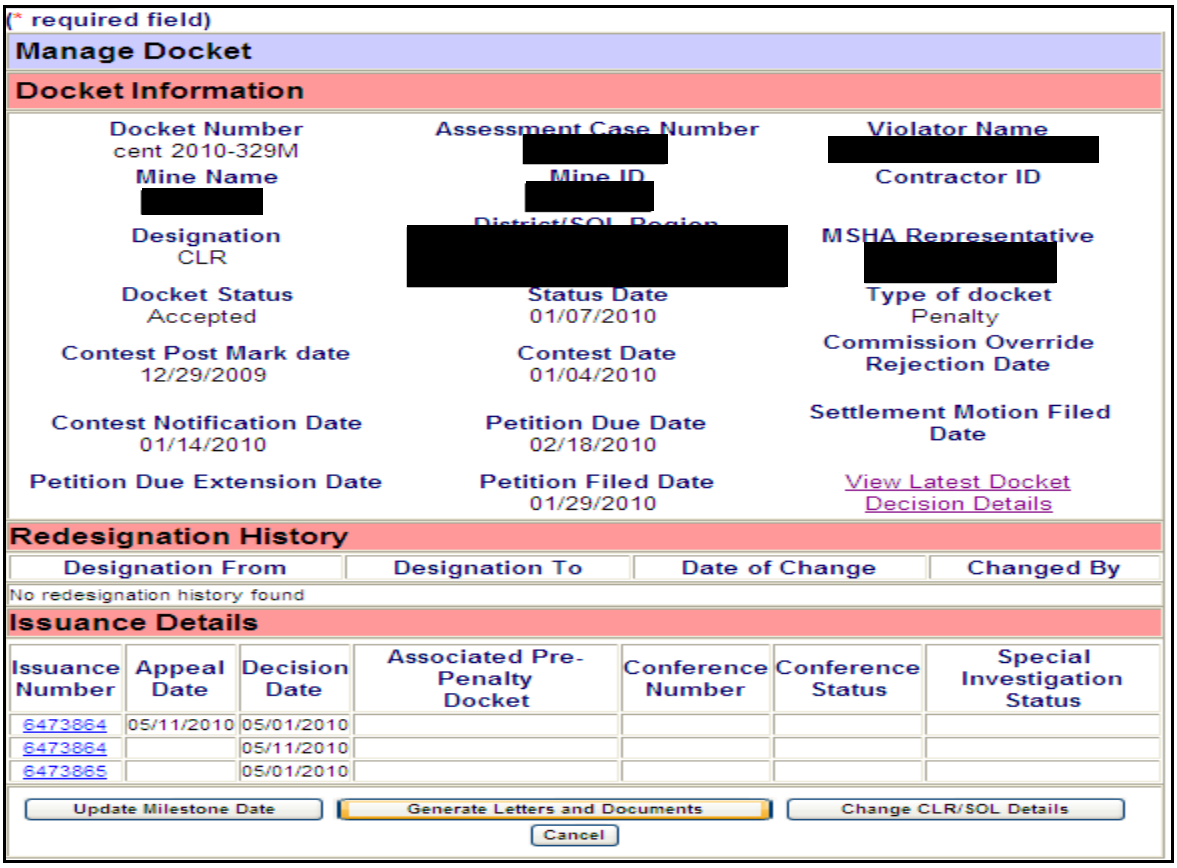
6. Click **Yes** to confirm the date changes.
7. The confirmation window below opens.



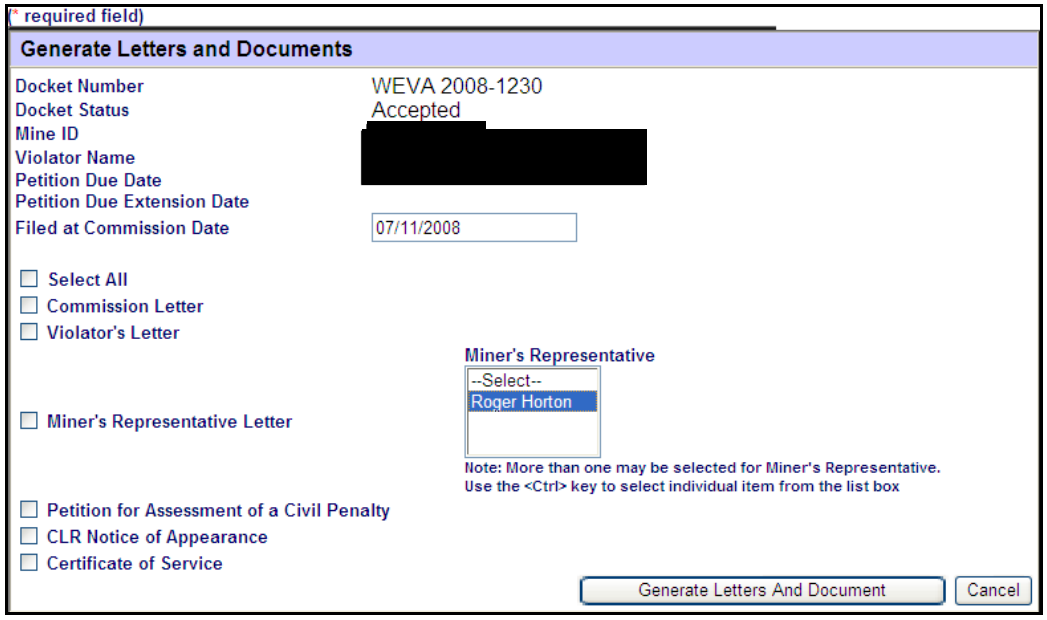
8. Click **OK.** MSIS returns you to main **Manage Docket** page.

Generate Letters and Documents

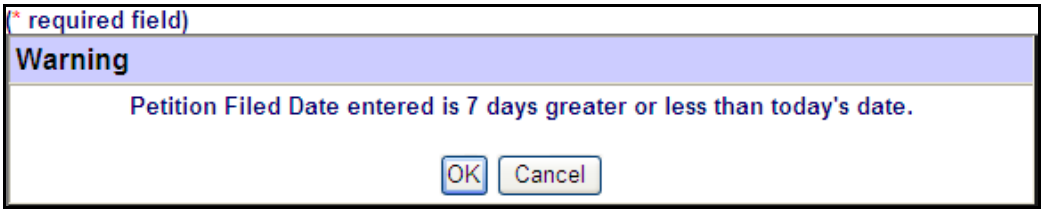
This section covers the **Generate Letters and Documents** screen.



1. Click the **Generate Letters and Documents** button.
2. A window similar to the one below opens.



3. Click the box by the letters you wish to print. If you want to print all of the letters, check the box by **Select All.**
4. Select the **Miner's Representative** from the list.
   When the Miner's Representative letter is selected, MSIS displays all names associated with the mine so you can select the desired representative's name.
5. Click **Generate Letters and Documents.**
6. You may see warning messages, such as the one below.



7. Click **OK** if this is acceptable.
8. A window similar to the one below opens.

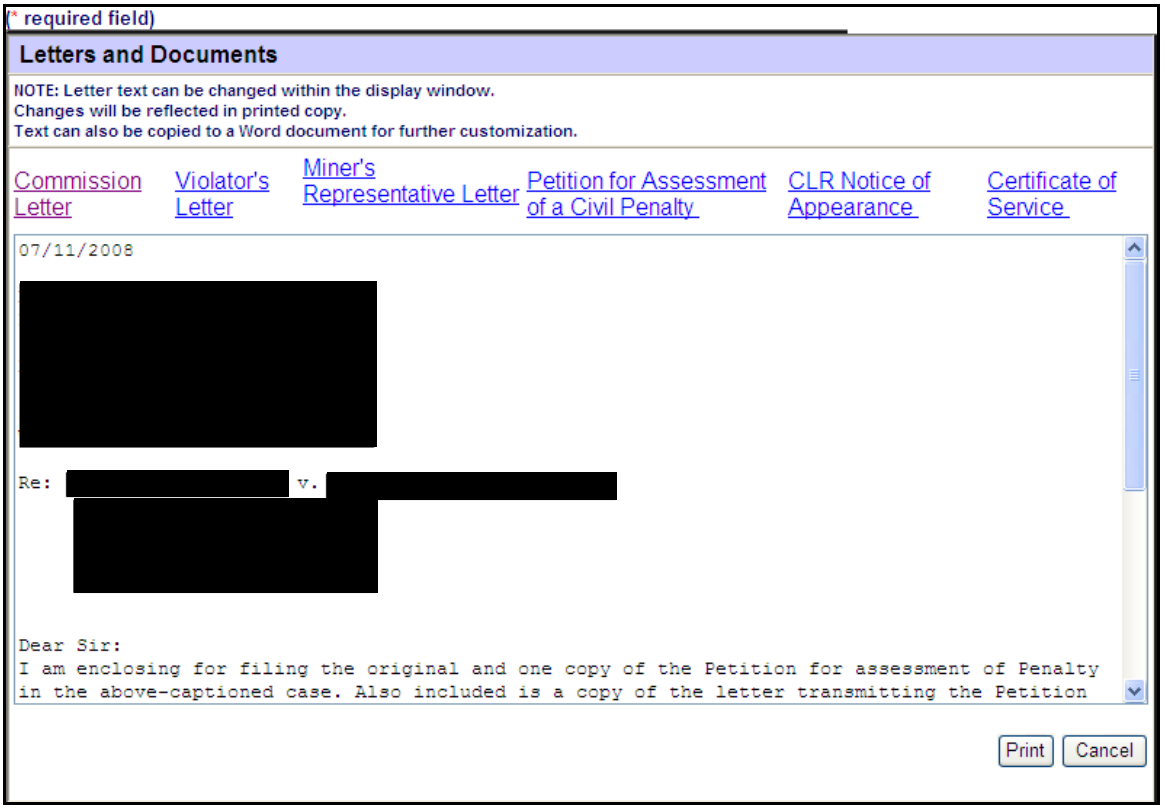
* required field)
Letters and Documents
NOTE: Letter text can be changed within the display window.
Changes will be reflected in printed copy.
Text can also be copied to a Word document for further customization.
Commission Letter
Violator's Letter
Miner's Representative Letter
Petition for Assessment of a Civil Penalty
CLR Notice of Appearance
Certificate of Service
Print
Cancel

The example above represents all of the available letters and documents. Clicking the corresponding link generates the letters and documents one at a time for you to edit or save. The sections below contain examples of each type of letter and document available.

Note:
Please be aware that these letters are NOT saved in MSIS. They are generated for your convenience only. You can copy and paste the letter into *Word* for further formatting if desired. Or you can simply edit the text as shown then click **Print.**

Commission Letter

Clicking the **Commission Letter** link opens a separate window containing information similar to that shown below.


(* required field)
Letters and Documents
NOTE: Letter text can be changed within the display window.
Changes will be reflected in printed copy.
Text can also be copied to a Word document for further customization.
Commission Letter
Violator's Letter
Miner's Representative Letter
Petition for Assessment of a Civil Penalty
CLR Notice of Appearance
Certificate of Service
07/11/2008
[redacted]
Re: [redacted] v. [redacted]
[redacted]
Dear Sir:
I am enclosing for filing the original and one copy of the Petition for assessment of Penalty
in the above-captioned case. Also included is a copy of the letter transmitting the Petition
Print
Cancel

Note:
Please be aware that these letters are NOT saved in MSIS. They are generated for your convenience only. You can copy and paste the letter into *Word* for further formatting if desired. Or you can simply edit the text as shown, then click **Print.**

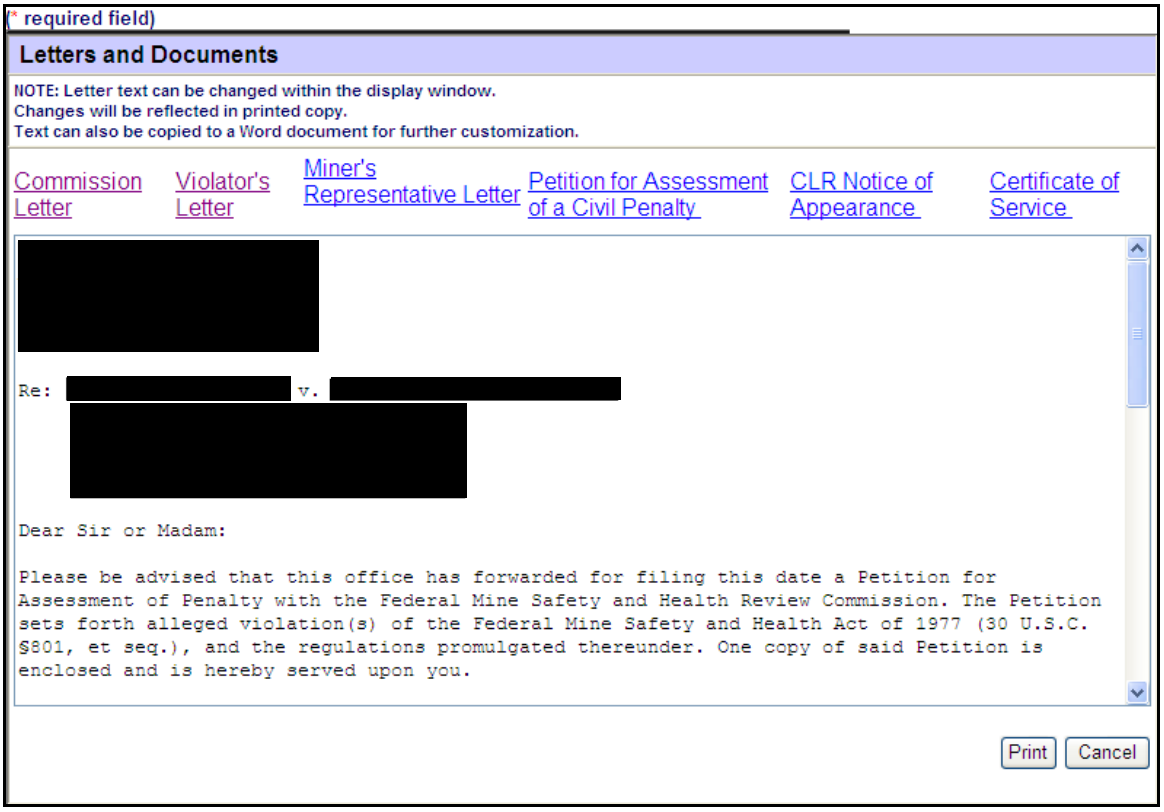
When finished printing the letters and documents, click **Cancel.**

MSIS returns you to main **Generate Letters and Documents** page.

Click **Cancel** to return to the main **Manage Docket** page.

Violator's Letter

Clicking the **Violator's Letter** link opens a separate window containing information similar to that shown below.


(* required field)
Letters and Documents
NOTE: Letter text can be changed within the display window.
Changes will be reflected in printed copy.
Text can also be copied to a Word document for further customization.
Commission Letter
Violator's Letter
Miner's Representative Letter
Petition for Assessment of a Civil Penalty
CLR Notice of Appearance
Certificate of Service
[redacted]
Re: [redacted] v. [redacted]
[redacted]
Dear Sir or Madam:
Please be advised that this office has forwarded for filing this date a Petition for Assessment of Penalty with the Federal Mine Safety and Health Review Commission. The Petition sets forth alleged violation(s) of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. §801, et seq.), and the regulations promulgated thereunder. One copy of said Petition is enclosed and is hereby served upon you.
Print
Cancel

Note:
Please be aware that these letters are NOT saved in MSIS. They are generated for your convenience only. You can copy and paste the letter into *Word* for further formatting if desired. Or you can simply edit the text as shown, then click **Print.**

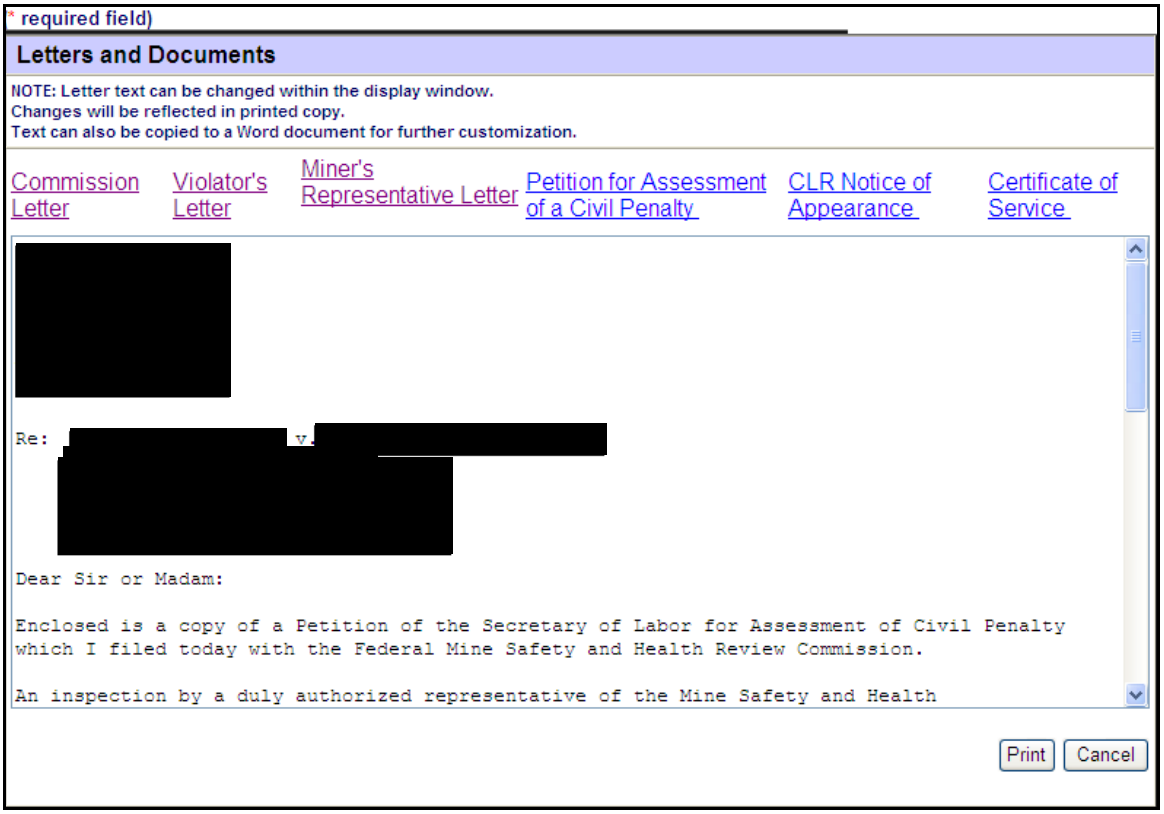
When finished printing the letters and documents, click **Cancel.**

MSIS returns you to main **Generate Letters and Documents** page.

Click **Cancel** to return to the main **Manage Docket** page.

Miner's Representative Letter

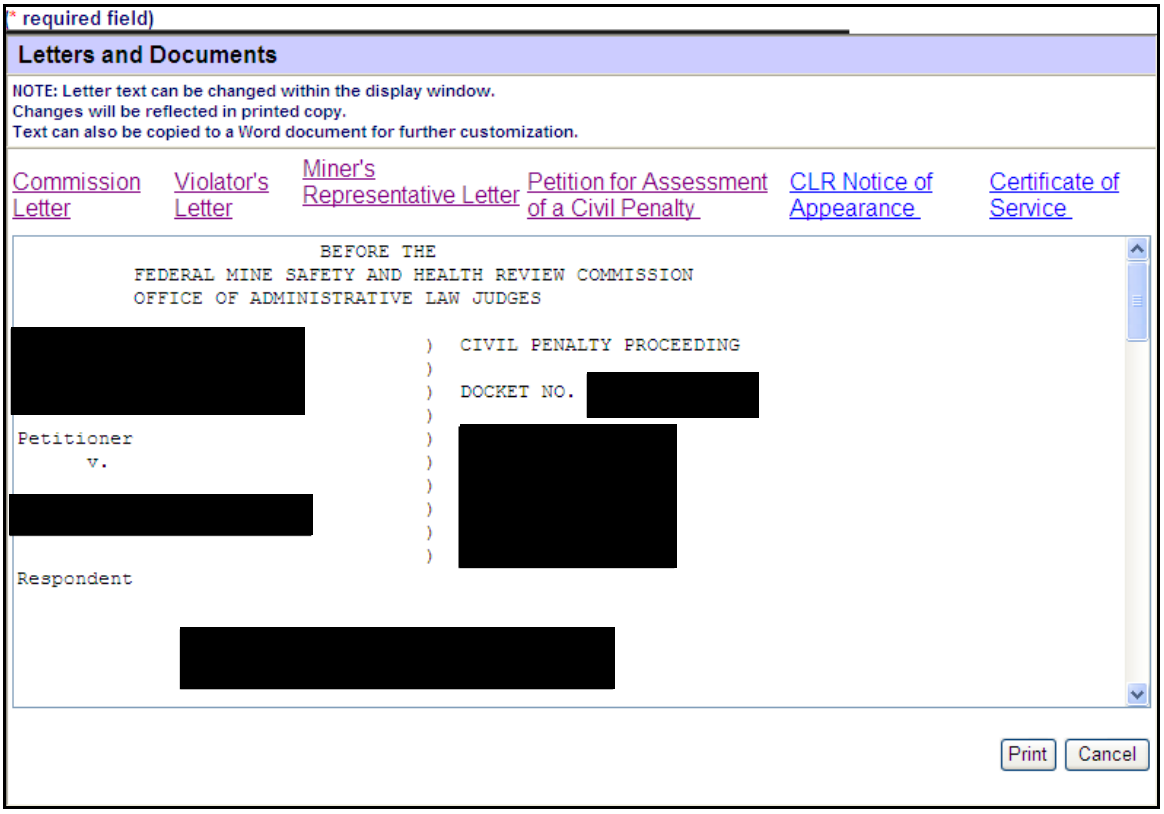
Clicking the **Miner's Representative Letter** link opens a separate window containing information similar to that shown below.


* required field)
Letters and Documents
NOTE: Letter text can be changed within the display window.
Changes will be reflected in printed copy.
Text can also be copied to a Word document for further customization.
Commission Letter
Violator's Letter
Miner's Representative Letter
Petition for Assessment of a Civil Penalty
CLR Notice of Appearance
Certificate of Service
[redacted]
Re: [redacted] v. [redacted]
[redacted]
Dear Sir or Madam:
Enclosed is a copy of a Petition of the Secretary of Labor for Assessment of Civil Penalty which I filed today with the Federal Mine Safety and Health Review Commission.
An inspection by a duly authorized representative of the Mine Safety and Health
Print
Cancel

Note:
Please be aware that these letters are NOT saved in MSIS. They are generated for your convenience only. You can copy and paste the letter into *Word* for further formatting if desired. Or you can simply edit the text as shown then click **Print.**

Petition for Assessment of a Civil Penalty

Clicking the **Petition for Assessment of a Civil Penalty** link opens a separate window containing information similar to that shown below.



Note:
Please be aware that these letters are NOT saved in MSIS. They are generated for your convenience only. You can copy and paste the letter into *Word* for further formatting if desired. Or you can simply edit the text as shown then click **Print.**

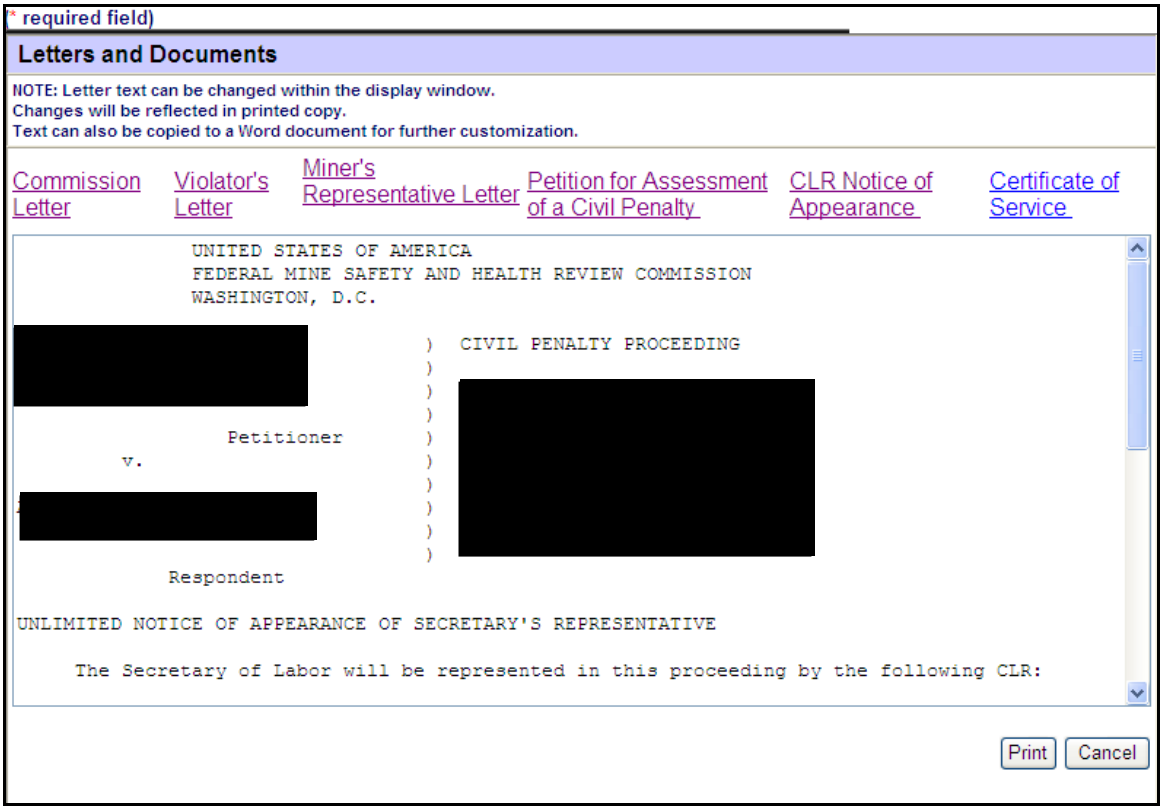
When finished printing the letters and documents, click cancel.

MSIS returns you to main **Generate Letters and Documents** page.

Click **Cancel** to return to the main **Manage Docket** page.

CLR Notice of Appearance

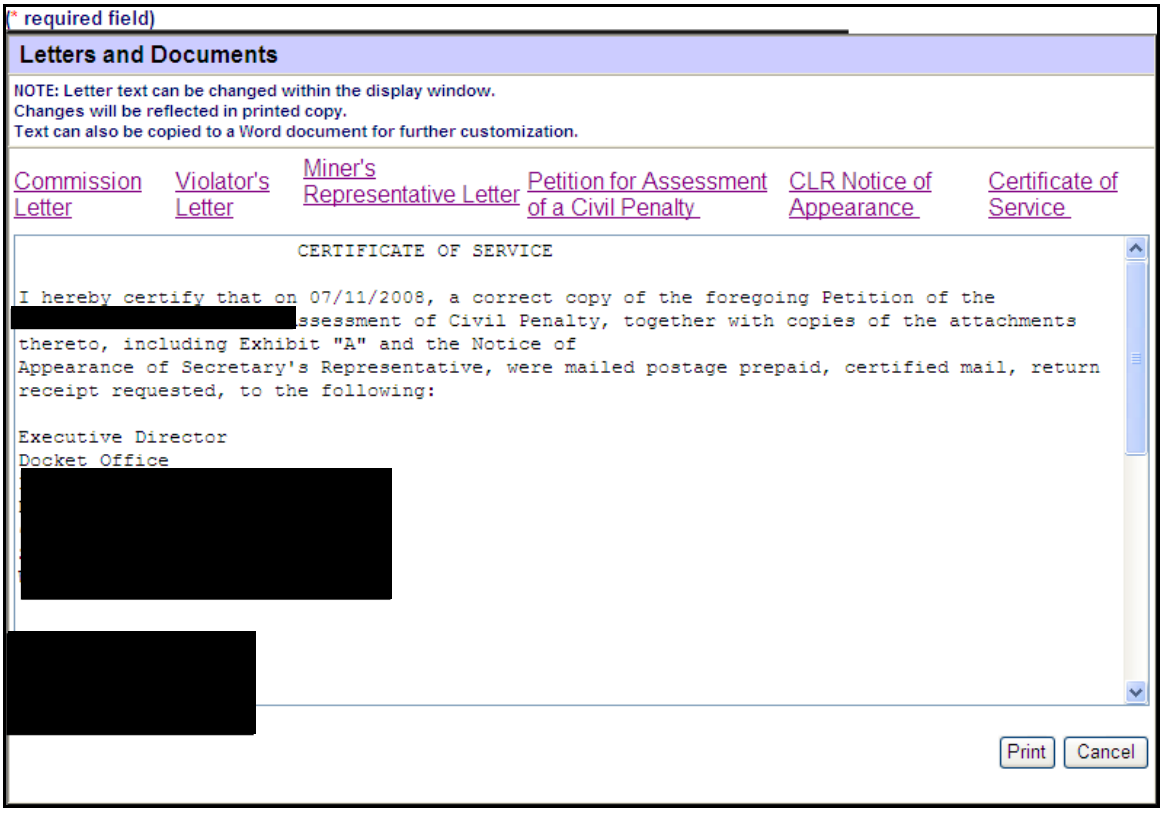
Clicking the **CLR Notice of Appearance** link opens a separate window containing information similar to that shown below.


* required field)
Letters and Documents
NOTE: Letter text can be changed within the display window.
Changes will be reflected in printed copy.
Text can also be copied to a Word document for further customization.
Commission Letter
Violator's Letter
Miner's Representative Letter
Petition for Assessment of a Civil Penalty
CLR Notice of Appearance
Certificate of Service
UNITED STATES OF AMERICA
FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION
WASHINGTON, D.C.
[redacted]) CIVIL PENALTY PROCEEDING
[redacted]
Petitioner
v.
[redacted]
Respondent
UNLIMITED NOTICE OF APPEARANCE OF SECRETARY'S REPRESENTATIVE
The Secretary of Labor will be represented in this proceeding by the following CLR:
Print
Cancel

Note:
Please be aware that these letters are NOT saved in MSIS. They are generated for your convenience only. You can copy and paste the letter into *Word* for further formatting if desired. Or you can simply edit the text as shown then click **Print.**

Certificate of Service

Clicking the **Certificate of Service** link opens a separate window containing information similar to that shown below.


(* required field)
Letters and Documents
NOTE: Letter text can be changed within the display window.
Changes will be reflected in printed copy.
Text can also be copied to a Word document for further customization.
Commission Letter
Violator's Letter
Miner's Representative Letter
Petition for Assessment of a Civil Penalty
CLR Notice of Appearance
Certificate of Service
CERTIFICATE OF SERVICE
I hereby certify that on 07/11/2008, a correct copy of the foregoing Petition of the
[redacted]ssessment of Civil Penalty, together with copies of the attachments
thereto, including Exhibit "A" and the Notice of
Appearance of Secretary's Representative, were mailed postage prepaid, certified mail, return
receipt requested, to the following:
Executive Director
Docket Office
[redacted]
[redacted]
Print
Cancel

Note:
Please be aware that these letters are NOT saved in MSIS. They are generated for your convenience only. You can copy and paste the letter into *Word* for further formatting if desired. Or you can simply edit the text as shown then click **Print.**

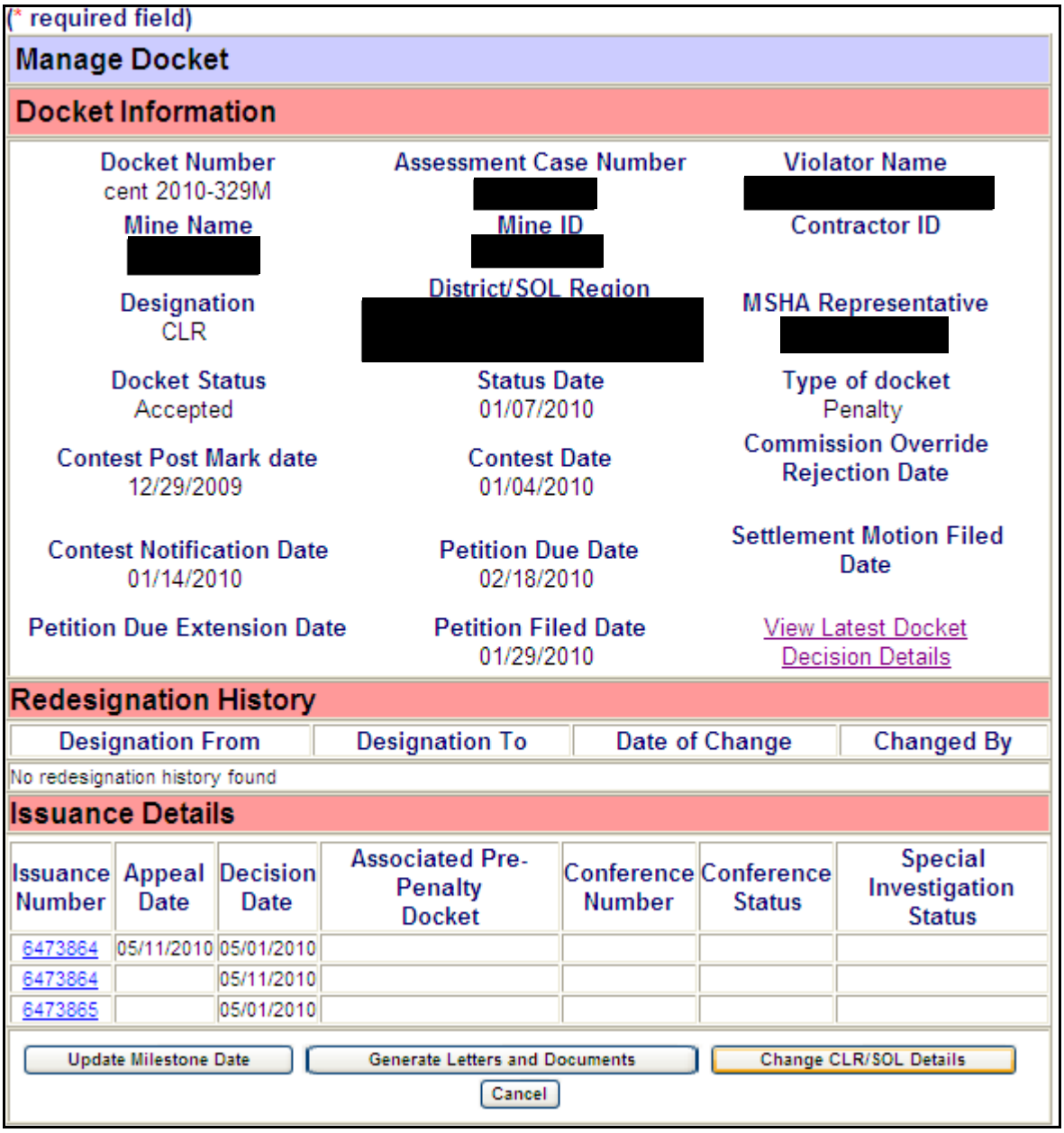
When finished printing the letters and documents, click cancel.

MSIS returns you to main **Generate Letters and Documents** page.

Click **Cancel** to return to the main **Manage Docket** page.

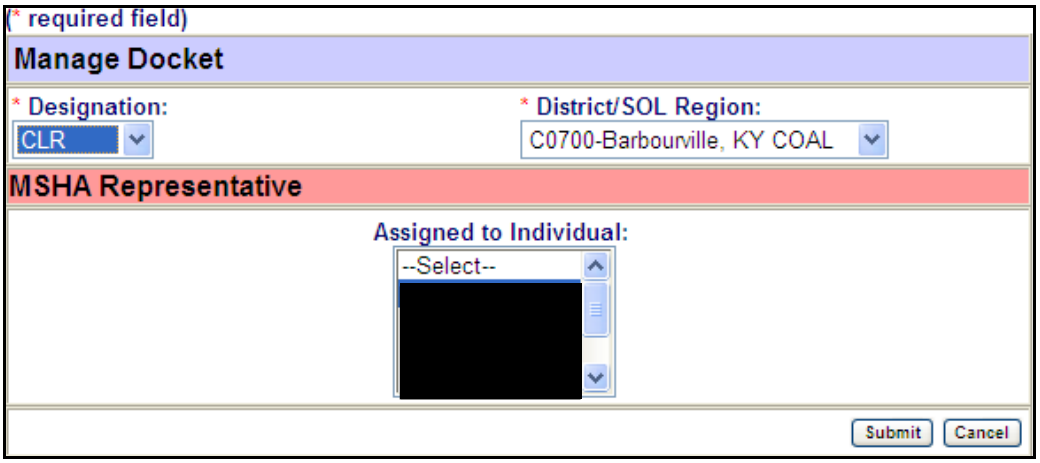
Change CLR / SOL Details

This section covers changing the Conference Litigation Representative or Solicitor (CLR/SOL) details.



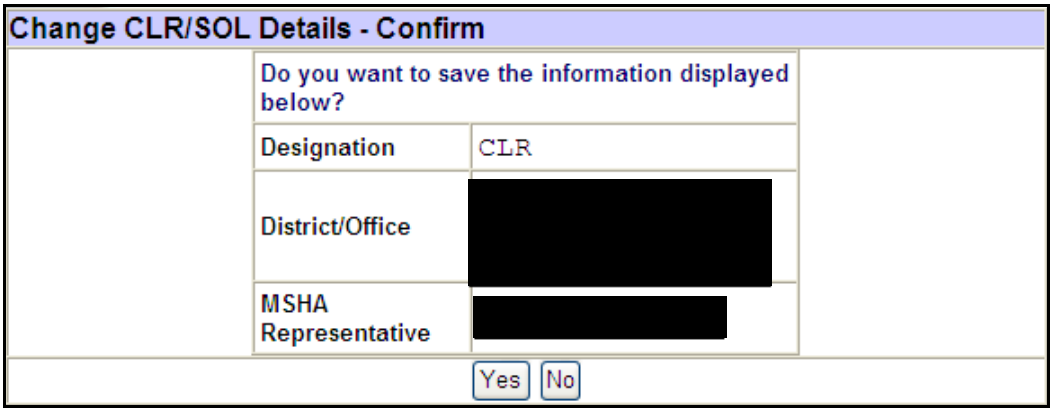
1. Click the **Change CLR/SOL Details** button.

2. A window similar to the one below opens.

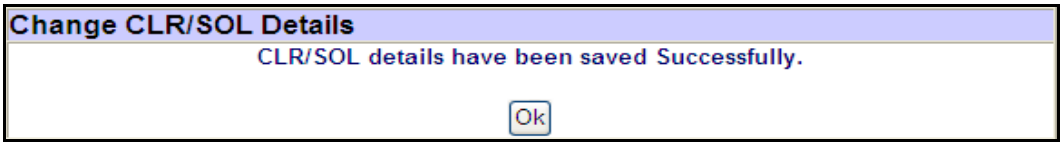


You can change the **Designation, District / SOL Region,** or the **Assigned to Individual.**

3. To change the **Designation,** select either **CLR** or **Solicitor** from the drop-down list.
4. To change the **District,** select the new district from the drop-down list.
The drop-down list changes depending on your previous selection for the Designation.
5. To change the **Assigned to Individual,** select the new individual from the drop-down list. The drop-down list changes depending on your previous selection.
6. Click **Submit.**
7. A window similar to the one below opens.



8. Click **Yes** to confirm the changes.
9. The confirmation window below opens.



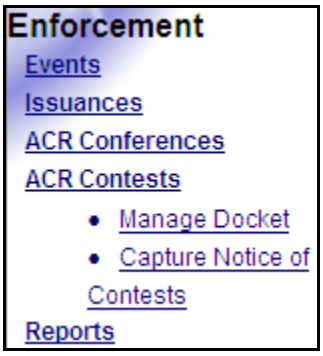
10. Click **OK.** MSIS returns you to the main **Manage Docket** page.

Capture Notice of Contests (Pre-Penalty; Solicitors Only)

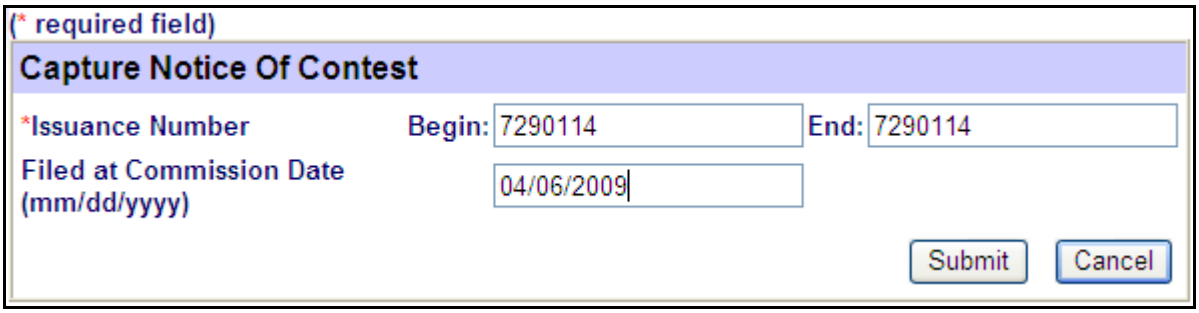
Please be aware that this functionality is available to Solicitors only. If you do not have permissions as a Solicitor, you will not be able to access this functionality.

To access the **Capture Notice of Contests,** function in MSIS, log on and navigate to the **Enforcement** section in the navigation list. Click **ACR Contests** to open the list.

The list below opens.



1. Click **Capture Notice of Contests.** The window below opens.



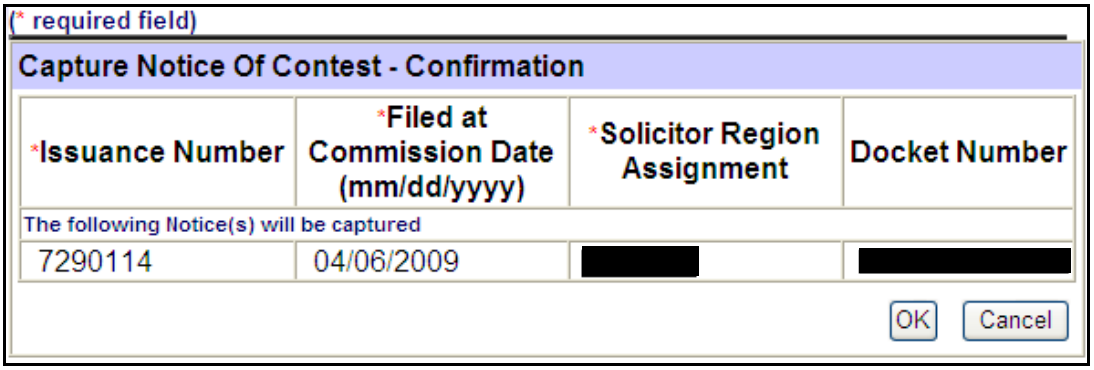
2. Enter the seven-digit beginning **(Begin)** and ending **(End) Issuance Number.**

Note:
MSIS will not allow more than 100 Issuance Numbers at a time.

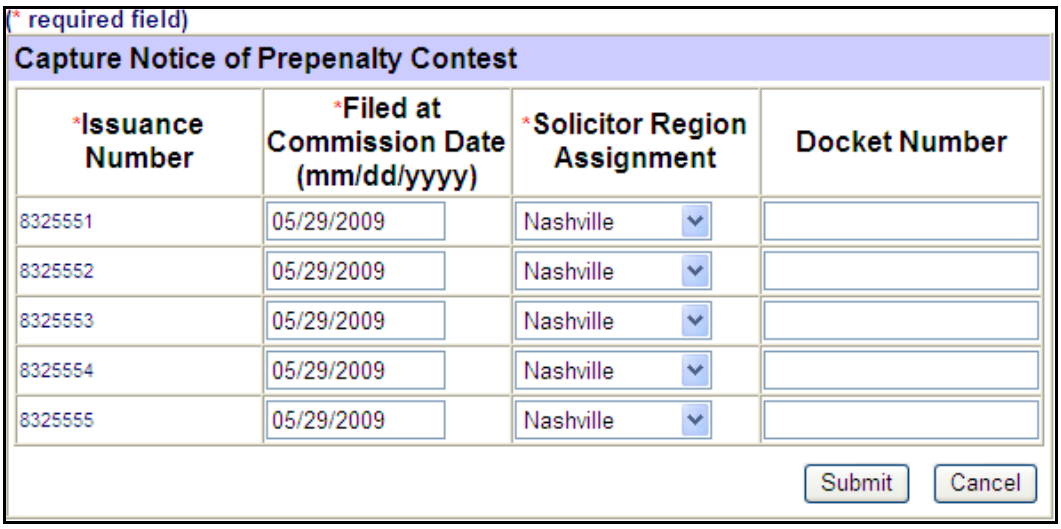
3. Enter the **Filed at Commission Date** (format: MM/DD/YYYY).

TIP!
If you fill in the date on this screen, MSIS will pre-populate the field for all of the violations on the next screen.

4. A window similar to one of those below opens.



Single Issuance Number



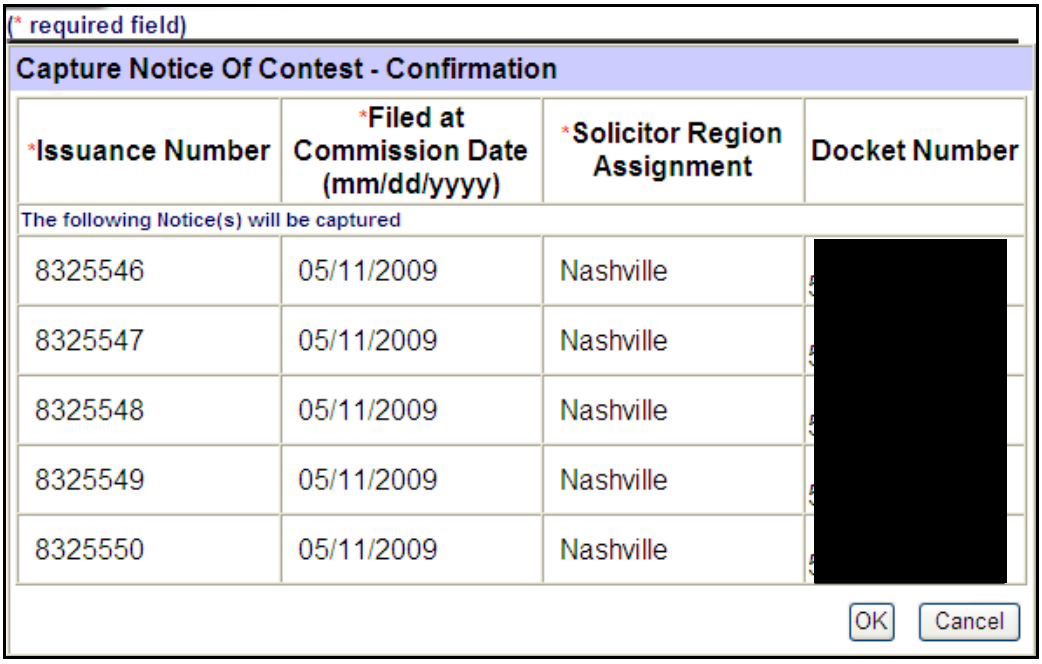
Multiple Issuance Numbers

5. Edit the **Date** for each issuance as needed, and enter the **Docket Numbers.**
6. MSIS automatically selects the **Solicitor Region** for you, although you can edit it if you wish.

> **TIP! Shortcut using Gaps in Issuance Numbers**
> Be aware that if you enter a range of 20 numbers on the first screen, but only assign 15 of those issuance numbers to dockets, MSIS will only save those 15 docket records. **It will NOT save anything for the issuance records without docket numbers.** This is a bit of a shortcut for SOL data entry.

7. Click **Submit.**

8. A window similar to the one below opens.


(* required field)

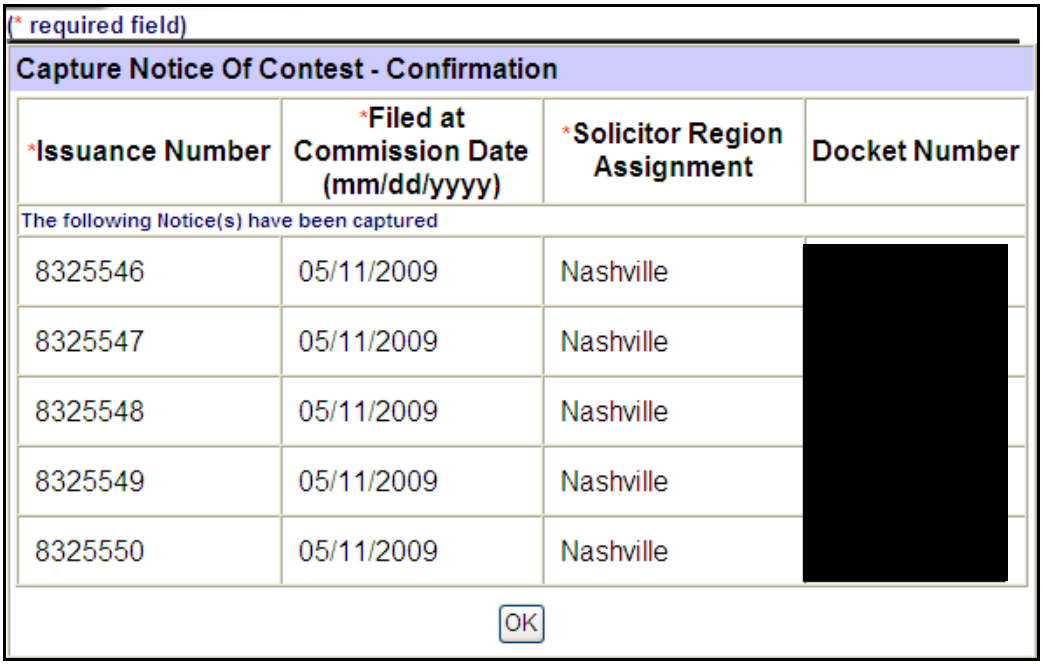
Capture Notice Of Contest - Confirmation

*Issuance Number	*Filed at Commission Date (mm/dd/yyyy)	*Solicitor Region Assignment	Docket Number
The following Notice(s) will be captured			
8325546	05/11/2009	Nashville	[redacted]
8325547	05/11/2009	Nashville	
8325548	05/11/2009	Nashville	
8325549	05/11/2009	Nashville	
8325550	05/11/2009	Nashville	

OK Cancel

9. Click **OK.**

10. A confirmation window similar to the one below opens.


(* required field)

Capture Notice Of Contest - Confirmation

*Issuance Number	*Filed at Commission Date (mm/dd/yyyy)	*Solicitor Region Assignment	Docket Number
The following Notice(s) have been captured			
8325546	05/11/2009	Nashville	[redacted]
8325547	05/11/2009	Nashville	
8325548	05/11/2009	Nashville	
8325549	05/11/2009	Nashville	
8325550	05/11/2009	Nashville	

OK

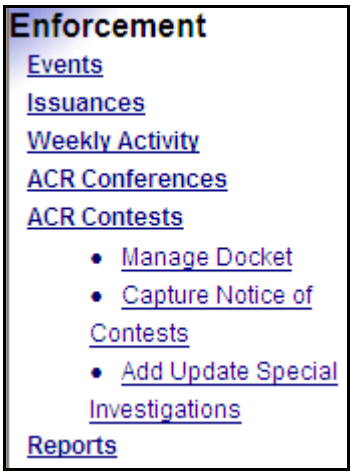
11. Click **OK.** MSIS returns you to the main **Capture Notice of Contest** window.

Add / Update Special Investigation (SI Users Only)

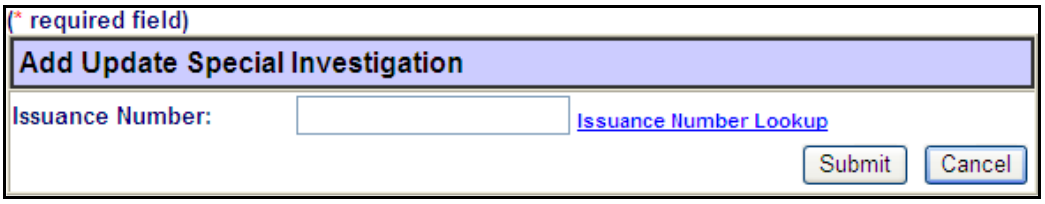
Please be aware that this functionality is available to Coal and Metal/Nonmetal users with the SI user role. If you do not have the assigned role, you will not be able to access this functionality.

To access the **Add/ Update Special Investigations** function in MSIS, log on and navigate to the **Enforcement** section in the navigation list. Click **ACR Contests** to open the list.

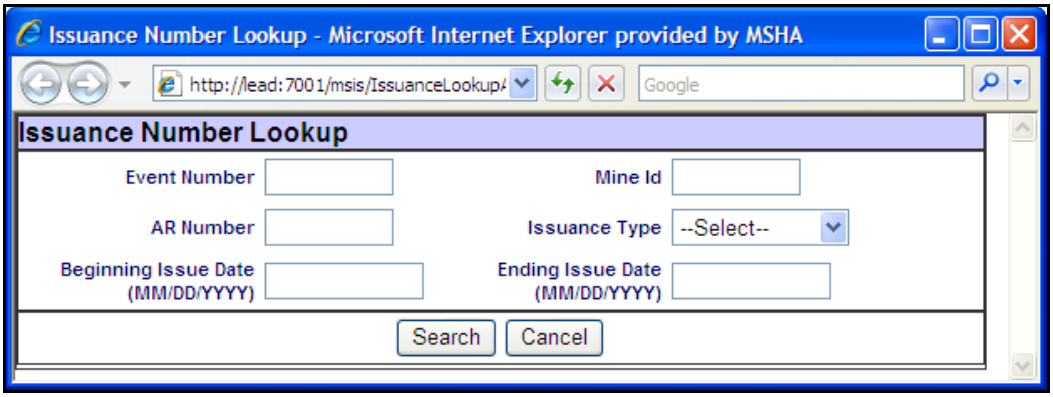
The list below opens.



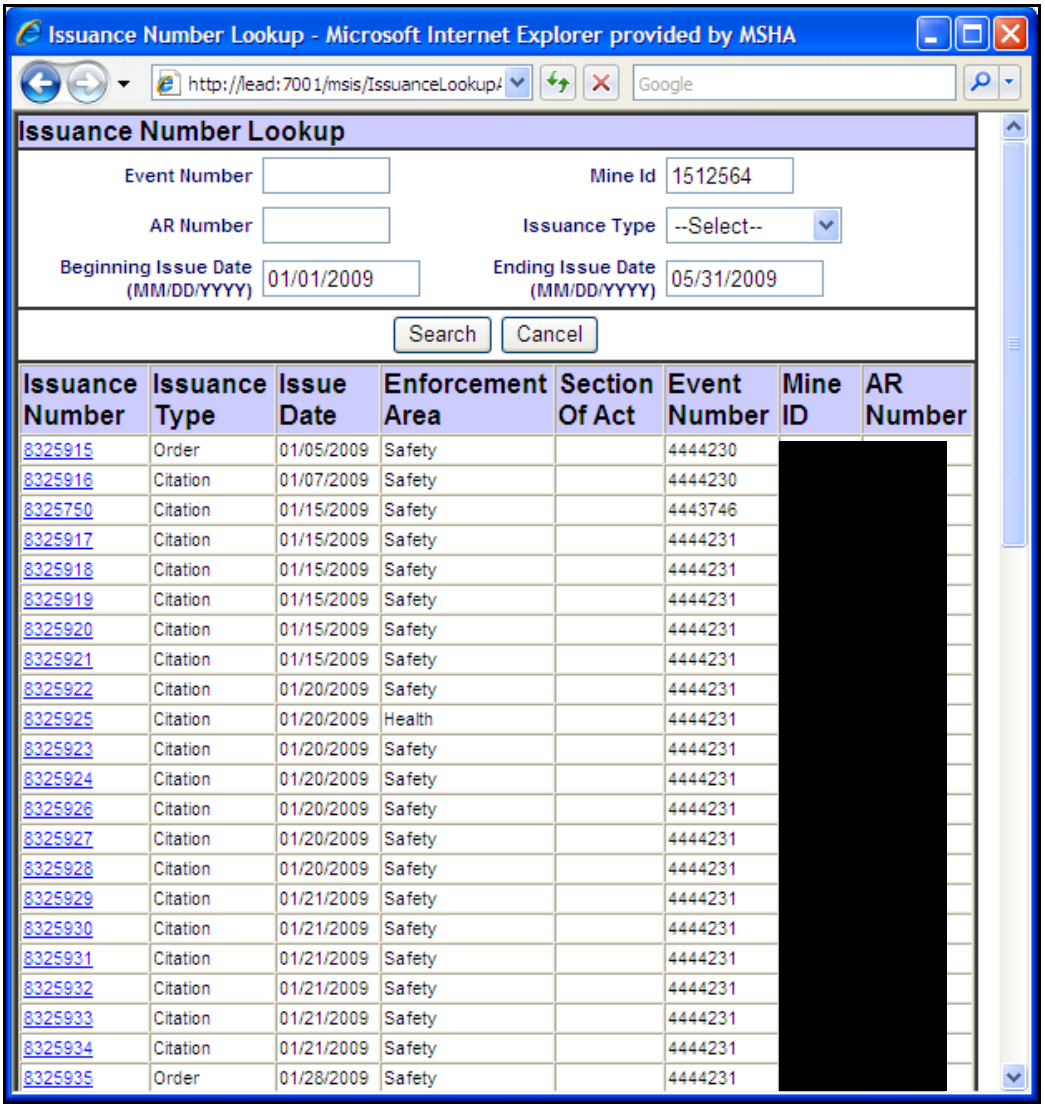
1. Click **Add / Update Special Investigations.**
2. The window below opens.



3. Enter the **Issuance Number** and click **Submit**.
   You can also use the **Issuance Number Lookup** link to lookup the Issuance Number.
4. Clicking the **Issuance Number Lookup** link opens the window below.



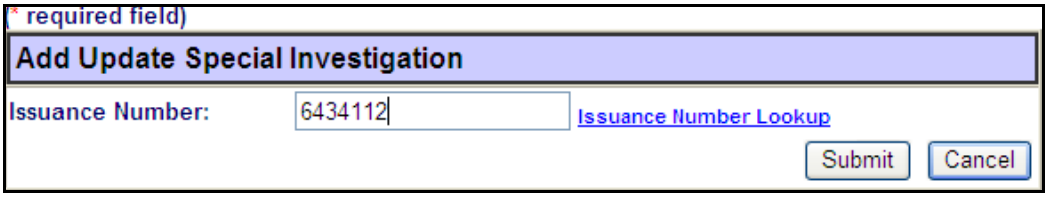
5. Enter as much information as is known about the Issuance: **Event Number, Mine ID, AR Number, Issuance Type** (select from the drop-down list **Citation, Notice, Order, Safeguard,** or **Written Notice**), **Beginning Issue Date** (format: mm/dd/yyyy), and **Ending Issue Date**(format: mm/dd/yyyy).
6. Then click **Search.**
7. A separate window similar to the one below opens.



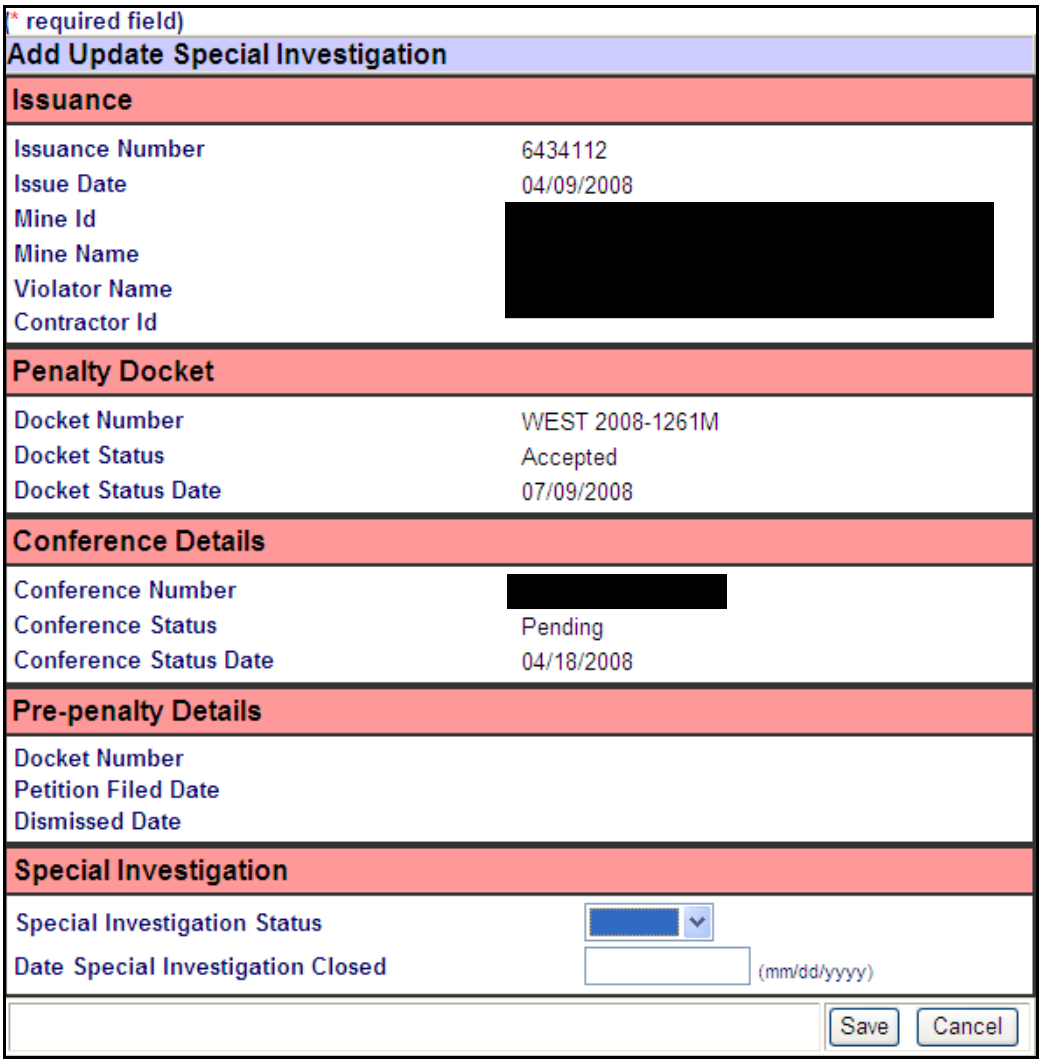
Issuance Number	Issuance Type	Issue Date	Enforcement Area	Section Of Act	Event Number	Mine ID	AR Number
8325915	Order	01/05/2009	Safety		4444230	[redacted]	
8325916	Citation	01/07/2009	Safety		4444230		
8325750	Citation	01/15/2009	Safety		4443746		
8325917	Citation	01/15/2009	Safety		4444231		
8325918	Citation	01/15/2009	Safety		4444231		
8325919	Citation	01/15/2009	Safety		4444231		
8325920	Citation	01/15/2009	Safety		4444231		
8325921	Citation	01/15/2009	Safety		4444231		
8325922	Citation	01/20/2009	Safety		4444231		
8325925	Citation	01/20/2009	Health		4444231		
8325923	Citation	01/20/2009	Safety		4444231		
8325924	Citation	01/20/2009	Safety		4444231		
8325926	Citation	01/20/2009	Safety		4444231		
8325927	Citation	01/20/2009	Safety		4444231		
8325928	Citation	01/20/2009	Safety		4444231		
8325929	Citation	01/21/2009	Safety		4444231		
8325930	Citation	01/21/2009	Safety		4444231		
8325931	Citation	01/21/2009	Safety		4444231		
8325932	Citation	01/21/2009	Safety		4444231		
8325933	Citation	01/21/2009	Safety		4444231		
8325934	Citation	01/21/2009	Safety		4444231		
8325935	Order	01/28/2009	Safety		4444231		

8. Select the **Issuance Number** by clicking on it.

9. The separate window closes and MSIS places the Issuance Number in the **Issuance Number** field, as shown below.

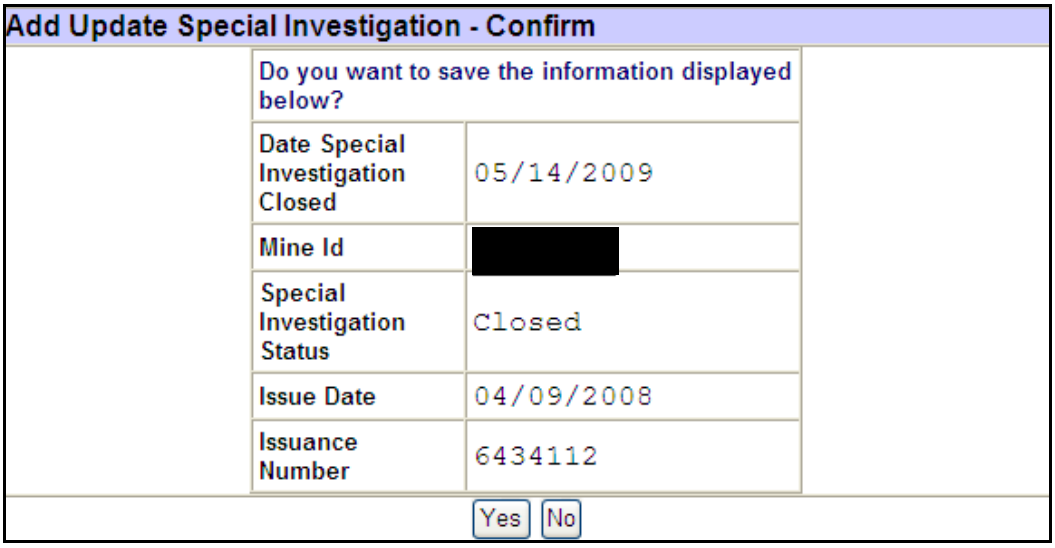


10. Click **Submit.**
11. A window similar to the one below opens.

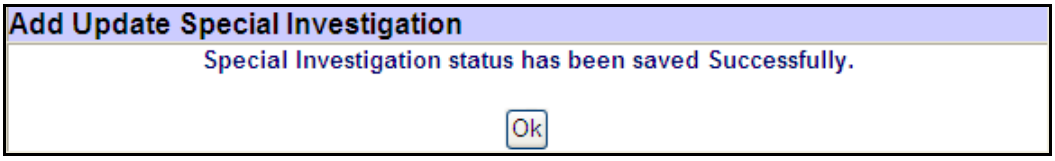


12. Select the **Special Investigation Status** from the drop-down list: **Pending** or **Closed.**
13. Enter the **Date the Special Investigation Closed** (format: MM/DD/YYYY).
14. Click **Save.**

15. A confirmation window similar to the one below opens.



16. Click **Yes.**
17. The window below opens.



18. Click **OK.**
19. MSIS returns you to the main **Add / Update Special Investigation** page.